

The Yuma County Board of Adjustment met in a regular session on October 18, 2022. The meeting was held at Aldrich Auditorium at 2351 West 26th Street, Yuma, Arizona.

**CALL TO ORDER:** At 1:00 p.m., Chairman Saltzer convened the Board of Adjustment meeting. Board Members present: Neil Tucker, Tim Eisenmann, Eric Saltzer, Rosalie Lines, and Joe Harper. Others present: Planning Director Maggie Castro, AICP; Associate Planner Jose Guzman; Deputy County Attorney Minda Davy and PZ Commission Admin Specialist Amber Kelly.

**PLEDGE OF ALLEGIANCE:** Chairman Saltzer led the Pledge of Allegiance.

**ITEM No. 3:** Approval of the Board of Adjustment regular meeting minutes of September 20, 2022.

MOTION (Tucker/Eisenmann): Approve as presented.

ROLL CALL VOTE: Tucker- AY; Eisenmann – AYE; Saltzer- AYE; Harper- AYE.  
The motion carried 4-0.

**ITEM No. 4: Variance Case No. 22-09: Chris Morris, agent for Jesse Castillo and Erika Fernandez, requests a variance from the Yuma County Zoning Ordinance, Section 706.04—Noise Zones, to allow a single family residence on a parcel 2 gross acres in size zoned Suburban Ranch-2 acre minimum (SR-2), Assessor's Parcel Number 754-30-002, located at the vicinity of County 16<sup>3</sup>/<sub>4</sub> street and Avenue A, Yuma, Arizona; located in the 65-69 dB noise zone.**

Board Member Lines entered the meeting at 1:07 p.m.

Associate Planner Jose Guzman presented the staff report recommending approval of Variance Case No. 22-09 based on:

1. Granting this request would not be contrary to the public interest.
2. Granting this request would be in accordance with the spirit of the regulations and the Airport District.

**If the Board of Adjustment approves this variance, staff suggests attaching the following conditions:**

1. This variance is valid for the time limits outlined in Section 710.08 of the Zoning Ordinance.
2. All required permits must be issued and finalized according to adopted Yuma County Comprehensive Building Safety Code.
3. An avigation disclosure statement shall be recorded by the owner/agent within 60 days of approval by the Board of Adjustment.

Board Member Eisenmann inquired about the location of the property on the aerial picture.

Associate Planner Jose Guzman showed the aerial image and stated the property was outlined in red.

Board Member Eisenmann asked if the property could be pointed out.

PZ Commission Admin Specialist Amber Kelly walked to the screen with the aerial image and pointed to where the subject property was located.

Chairman Saltzer opened the public hearing.

Chris Morris, 291 South Main Street, Yuma, Arizona, agent, stated the property was in the noise zone. He explained all the surrounding properties have residences. He stated there was a mobile home on the property that would be removed when the new home is built. He stated the new home would have sound protection complying with County requirements. He stated he was present to answer any questions.

Antonio Martinez, MCAS Yuma, explained MCAS did not object to the rezoning case for the subject property in 2003. He stated it was still MCAS's intent to strongly object to any new residential development within the High Noise Accident Potential Zones and the associated Noise Contours. However, on this case, MCAS will not change their official comments on previous land development cases where the landowner has the expectation of building incompatible development due to Marine Corps Air Station (MCAS) Yuma's response.

There being no one else to come forward, Chairman Saltzer closed the public hearing.

Board Member Eisenmann inquired about how many residences were in the 65 dB noise zone.

Planning Director Maggie Castro, AICP, stated staff did not have a number of dwelling units that have been built in the 65-69 dB noise zone.

Mr. Martinez explained there was many homes due to the regulations not being in place until 2000 and 2005. He stated that MCAS is trying to avoid incompatible development.

Board Member Lines inquired if there was a map that showed the boundaries of the noise zone.

Planning Director Maggie Castro, AICP, stated the entire area depicted on the vicinity map is in the 65 dB noise zone.

Board Member Harper inquired about how far Somerton was from the subject property.

Planning Director Maggie Castro, AICP, stated Somerton's city limits are around Avenue B and County 16<sup>th</sup> Street.

Board Member Lines inquired if the noise zones applied during certain times of the day or if it was all day every day.

Mr. Martinez explained the noise zone reduction was part of the building. He stated MCAS operations does not take any breaks. He explained they try to avoid late night flying from midnight to 5:00 a.m.

MOTION (TUCKER/EISENMANN): Approve Variance Case No. 22-09 to include the conditions recommended by staff.

ROLL CALL VOTE: Tucker- AY; Eisenmann – AYE; Saltzer- AYE; Lines- AYE; Harper- AYE.  
The motion carried 5-0.

**ITEM No. 5: Discussion by the Board members and Planning Director of events attended, current events, and the schedule for future Board of Adjustment meetings.**

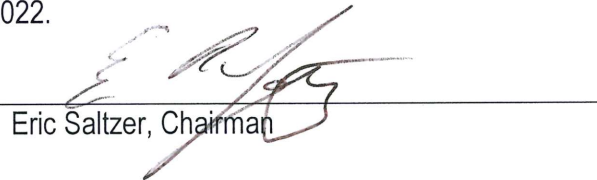
There being no further business to come before the Board, the Chairman adjourned the meeting at 1:17 p.m.

Approved and accepted on this 20<sup>th</sup> day of December 2022.

ATTEST:



Maggie Castro, AICP, Planning Director

  
Eric Saltzer, Chairman